

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

KEVIN MICHAEL LONG,)	Case No.: 1:23-cv-0356 JLT EPG (PC)
)	
Plaintiff,)	ORDER ADOPTING FINDINGS AND
)	RECOMMENDATIONS, DISMISSING THE
v.)	ACTION WITHOUT PREJUDICE, AND
)	DIRECTING THE CLERK OF COURT TO CLOSE
STANISLAUS COUNTY SHERIFF'S)	THE CASE
DETENTION CENTER, et al.,)	
)	
Defendants.)	(Doc. 8)

Kevin Long initiated this action by filing a complaint pursuant on March 6, 2023. Because Plaintiff did not file a completed motion to proceed *in forma pauperis*, the Court ordered Plaintiff to refile a completed *in forma pauperis* application or to pay the filing fee within 45 days. (Doc. 6.) The Court also directed Plaintiff to provide a notice regarding his detention status. (*Id.*) Plaintiff failed to respond to the Court's order.

The magistrate judge found Plaintiff failed to prosecute the action and failed to comply with the Court's order, and recommended the action be dismissed without prejudice. (Doc. 8.) These Findings and Recommendations were served on Plaintiff on July 11, 2023, and contained a notice that any objections were due within 14 days of the date of service. (*Id.* at 3.) Plaintiff was also informed the "that failure to file objections within the specified time may result in the waiver of rights on appeal." (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014), *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).) To date, no objections have been filed and the time to do so has passed.

1 According to 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court conducted a *de novo*
2 review of this case. Having carefully reviewed the entire file, the Court concludes the Findings and
3 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 4 1. The Findings and Recommendations issued July 11, 2023, are **ADOPTED** in full.
- 5 2. This case is **DISMISSED** without prejudice.
- 6 3. The Clerk of Court is directed to close this case.

7
8 IT IS SO ORDERED.

9 Dated: **November 9, 2023**


UNITED STATES DISTRICT JUDGE